



A MONTHLY ELECTRONIC NEWSLETTER TO THE 41st ASSEMBLY DISTRICT
 (Including Agoura Hills, Calabasas, Encino, Malibu, Hidden Hills, Lake Sherwood, Oak Park, Pacific Palisades, Port Hueneme, South Oxnard, Santa Monica, Tarzana, Topanga, Westlake Village, and Woodland Hills.)

JUNE 16, 2005
STATE BUDGET SPECIAL EDITION

Budget Update & Vote for Full Funding for Education

On Wednesday, June 15, the bi-partisan Joint Legislative Budget Conference Committee, made up of members from both the Assembly and Senate, submitted their final recommendation to the Legislature. This is in response to the Governor's original January 10th budget and the revisions he proposed in May. Since January, the Assembly has held roughly 100 budget hearings on the Governor's proposal.

Although many of the budget items were supported by both Republicans and Democrats, a number of items split along partisan lines. It's important to remind everyone that California is one of only three states in the U.S. that requires a 2/3 vote in both houses to pass a budget, giving the minority party tremendous and disproportionate clout.

The Legislature's budget is **balanced** and **on time**. It relies on **no new borrowing**. It provides **\$800 million more for education**. And it **fully funds the \$1.3 billion commitment for transportation** consistent with Proposition 42. Funding to restore cuts to In-Home Support Services, tax relief for seniors, and other programs that continue to support our seniors and the disabled community are back in the budget. And finally, the budget the Legislature voted for provides a \$1.3 billion reserve, a far more fiscally-prudent amount than the Governor's minimal \$400 million reserve.

This is a balanced budget that both Republicans and Democrats should vote for. It raises no new taxes. Unfortunately, the vote in the Assembly was 45 - 32 (54 votes needed to pass) and in the Senate 25 - 13 (27 votes needed to pass).

It would be my strong preference to fully fund education. Educating the workforce of tomorrow is critical to our state's future. A recent report by the Public Policy Institute of California showed dramatically that California is going to need to make a serious investment in education, both K-12 and higher ed. We won't have enough spaces in our colleges (UCs, CSUs, and community colleges) to accommodate growth. More



education, not less, will be needed as we transition to a service-oriented economy. Unfortunately, this budget does not make that investment.

A separate budget-related vote on AB 6 was also taken on Wednesday to honor our commitment to fully fund education. AB 6 will restore the \$2 billion that the Governor promised to return to the education coalition when he “borrowed” \$2 billion from our schools to help close last year’s budget gap. To do this will require an increase in the top income tax brackets. It will affect about 360,000 taxpayers (about 2.6% of residents who file tax returns).

Reinstating this top tax bracket to what it was during tough economic times under Republican Governors Wilson and Reagan will generate \$2.2 billion in 2005-06, \$1.7 billion in 2006-07, and \$1.8 billion in 2007-08. Recent income tax cuts given by the Federal government would more than offset any such increase at the state level to protect our schools.

For example, the top 1% of taxpayers received an average Federal tax cut of \$77,495 in 2004. Reinstating the state’s top tax bracket back to Wilson/Reagan levels would offset that amount by about \$9,000, still leaving a net tax cut to people in this top bracket of roughly \$68,500.

I voted for AB 6. Educating California’s children is the single highest priority in our great state. We needed a bipartisan 54 votes to fully fund this commitment, but only received 46 votes in the Assembly, with 2 Democrats absent or not voting. All Republicans voted No.

I hope that our obligation to the children will transcend party lines. My biggest concern right now is that the legislative climate in the Capitol is more partisan than ever, and is being made even worse by the Governor’s refusal to work with the Legislature and insistence on a costly special election instead. I sincerely hope that a balanced budget will not be held up for politically-motivated purposes. The public deserves better.

Obesity Epidemic Workshop Raises Awareness

On June 8, I co-hosted an important workshop with Saint John’s Health Center in Santa Monica on the serious rise in obesity in our nation and in California, and the frightening risks that lay ahead if something isn’t done to turn it around. According to the California Center for Public Health Advocacy:

- 35% of Californians over 25 are overweight, and more than 17% are obese.
- There are huge risk factors for overweight children, including high blood pressure, cardiac problems, diabetes, and joint disease.
- Overweight and inactive Californians could cost this state \$28.7 billion this year in health care expenses, injuries, and lost productivity.
- This current generation is going to reverse the trend of children living longer than their parents.

Dr. Richard Jackson, State Public Health Officer of the Department of Health Services, warned of the health issues of our “built” environment: ex., getting people to walk when there’s a car in every driveway; the convenience of fast food vs. the time it takes to cook fresh and healthy foods; public health considerations in city planning and development decisions, etc.

Dr. Francine Ratner Kaufman, a pediatrician and internationally-known authority on diabetes and obesity, spoke passionately about the spike in Type 2 Diabetes in children and the growing and serious health impacts of obesity and unfitness in children.

Saint John’s was a great partner in helping to shine a bright light on a growing health issue.

Organ Donation May Become Easier

Following launch of the state's first on-line donor data base in April, more than 60,000 Californians have registered as organ and/or tissue donors. SB 689 (Speier) passed unanimously out of the Senate, and calls on the DMV to collect organ and tissue donor designation information on all applications and renewals for driver's licenses and ID cards. I am a co-author of this legislation.

Just having a pink dot on your license is not sufficient. If you want to be a donor, you need to register online and state your specific wishes on this secure and free site. Over 18,500 people are currently waiting for organs just in California. One donor can save the lives of eight people through organ donations and improve the lives of 50 others with tissue donations. Information on the Donate Life registry can be found at www.donateLIFEcalifornia.org.

California Holocaust Memorial Week May 2-6, 2005

My colleague, Assemblymember Rebecca Cohn, put together a wonderful book of the stories of Holocaust survivors in her and other legislative districts. Jenny Toder from my District Office wrote the story of Albert Rosa, who lives in Encino.

As a young Jewish teen in Greece, Albert and his brothers, David and Daniel, were separated from their family and sent to Birkenau, spending ten icy winter days in a cattle car in only underwear and with no food, water, or toilet facilities. He watched his sister be beaten to death, and his brother Daniel beaten and then hanged. Miraculously, and nearly starved, he and seven other prisoners



Jenny Toder presents Albert Rosa a recognition from Assemblymember Fran Pavley (left).

ultimately escaped through the snow under a hail of rifle fire during the Birkenau Death March. American soldiers found them in a barn, staying warm under a pile of manure. After recovering his health, Albert joined up with the American Army and later fought with Irgun, the Jewish Resistance Movement.

Long after it was over, persistent nightmares of fighting off the Nazi beatings in his sleep became physical and Albert awoke one night to find that he had beaten his wife so severely in his sleep that she had to be hospitalized. For 55 years, he never spoke a word about his experiences, until his children finally learned his story and urged him to share it.

Although he has only an 8th grade education, Albert speaks 10 languages, which he learned from other prisoners. He is a truly remarkable individual, and it was a distinct honor for me to host a small reception for him in my office this month, and to present him with a certificate from the California State Assembly to formally recognize his personal triumph over evil.

Cleanup Study Begins at Santa Susana Field Lab

The Santa Susana Field Laboratory (SSFL) is the site of decades of rocket testing in the hills immediately north of my district. It is undisputed that large quantities of rocket fuel and other contaminants were dumped into the ground, and cleanup assessment has been ongoing for several years. One of the many contaminants is trichloroethylene (TCE). TCE is not just a hazard in the soil and groundwater, but it can also impact public health as it vaporizes.

The Department of Defense, Department of Energy, and NASA are all agencies that are responsible for TCE pollution on the site, but they are now sponsors of the cleanup study. I have sent a letter to the National Research Council and the National Academy of Science, stating my firm belief that the study must be scrupulous in its findings. There must be no question about the outcome being science-based, and it must be done with total objectivity and without consideration of what ultimate responsibilities might fall on the study sponsors who caused the contamination.

Bits 'n Pieces...

- Thanks and congratulations to **Port Hueneme Mayor Pro Tem Tony Volante** on his very busy and most successful year as President of the Association of Water Agencies of Ventura County.
- I am extremely pleased that my district office was able to help the residents on Via de Las Olas Street in **Pacific Palisades** break through a bureaucratic impasse and secure FEMA funding for a slope failure that followed the winter storms and has their entire street at risk. The City of L.A. can now proceed to make the repairs, knowing that FEMA reimbursement money will be available.
- Good news for **restoration of Solstice Creek** and endangered steelhead trout in the Santa Monica Mountains National Recreation Area. On May 26, the Wildlife Conservation Board approved bond funding for a number of Fisheries Restoration projects, one of which will be removal of the fish barriers in Solstice Creek. This is a critical step toward bringing the steelhead back to their historic habitat.
- The Franchise Tax Board's **Homeowner and Renter Assistance Program** filing season begins July 1. Pre-recorded information is available at (800) 868-4171. Brochures are available on request from my District Office at (818) 596-4141, or can be downloaded from the FTB website at www.ftb.ca.gov.
- The **Victory Trailhead into Upper Las Virgenes Canyon Open Space Preserve** (formerly Ahmanson Ranch) will be formally opened at noon on Saturday, July 2. Please join the celebration and take a wonderful hike into 3,050 acres of pristine parkland. From the 101 freeway, exit at Valley Circle Blvd. Go north to Victory Boulevard, and turn left/west to the end.
- I love it when students from the 41st AD visit the Capitol. On May 25, I enjoyed a visit from five **Malibu High School Advanced Placement students**, sponsored by the Malibu Chamber of Commerce.



Ormond Beach Wildlife Needs Their Space



The California Least Tern and Western Snowy Plover are endangered species that enjoy the wide open spaces at Ormond Beach in south Oxnard. Protected under both State and Federal law, these diminutive birds nest on the open sand from mid March to mid September, so it's important that beach users respect their presence and avoid disturbing them.

Notices are being posted in the area, reminding people that ATVs and other motor vehicles are prohibited, that dogs must be on a leash, and that discharge of firearms is illegal. Ormond Beach is also an area that is frequented by powered paragliders that can scare off adult birds, leaving their eggs and

chicks to die. The U.S. Fish and Wildlife Service has asked the paraglider pilots to avoid flying below 500 feet over the Plover and Tern breeding and nesting sites, which stretch the entire length of Ormond Beach between Point Mugu Naval Station and Hueneme Pier.

If you're enjoying the beauty of Ormond Beach, please do so gently. Stay near the wet sand and avoid the upper beach and dunes where these birds are nesting.

First Sustainable41 Award to Businesses Presented

Albertsons market in Calabasas is the first recipient of my Sustainable41 awards program to businesses. Albertsons is participating in the City of Calabasas' recycling program by acting as a collection point for

used batteries. All customers have to do is bring old batteries with them when they shop and drop them into the convenient receptacles at the front of the store. The city picks them up and disposes of them properly,

which means that those batteries will not end up in landfills, leaking their acid and other toxins into the soil and groundwater.

How about a little friendly competition now from other cities in the 41st? Please let me know of businesses that are incorporating sustainable practices into the way that they do operate, and I'll let my constituents know who they are. They will also receive a certificate of recognition that they can display to their customers.



Assemblymember Pavley's Committee Assignments

Budget Committee
Education Committee
Transportation Committee
Water, Parks and Wildlife Committee
Chair, Budget Subcommittee #3 on Resources
Chair, Select Committee on Air and Water Quality
Select Committee on Runaway Production
Select Committee on Ports

Legislative Advisory Committee – Wildlife Conservation Board
Legislative Advisory Committee – California Coastal Conservancy
Santa Monica Mountains Conservancy Board

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If you know of anyone who you think would like to receive these newsletters, please e-mail their name, mailing address and e-mail address, and I'll be happy to add them to my list.

